

Fair Isn't Fair  
Congressman Paul A. Gosar, D.D.S

Patrick Henry—an ardent supporter of a smaller, local government—once said, “I like the dreams of the future better than the history of the past.” Something tells me that he would not utter such a statement were he alive in 2014. Henry and many other Founding Fathers are likely rolling over in their graves as a result of the incessant intrusion into local affairs by our current president and the federal government.

More recently, in the eyes of the Obama Administration, Americans are not the best judges of where they should live and raise their families. At least that’s the message coming from the Department of Housing and Urban Development (HUD). Just when you thought the administration’s Orwellian sovereignty had reached its limits, HUD declared that our nation’s suburbs aren’t diverse enough and that local governments may not be the best arbiters of housing and zoning regulations.

To remedy this perceived cultural malaise, the administration has issued a new proposed regulation (sound familiar?) that mandates a barrier for individuals and families on where they can choose to live. With this action, the president and his administration are encroaching on the rights of local governments and once again needlessly injecting race into public policy issues, setting the stage for even further division and animosity in America.

As a means of accomplishing this goal, President Obama proposed a rule known as Affirmatively Furthering Fair Housing (AFFH), which according to Stanley Kurtz of the Ethics and Public Policy Center, will “push Americans into living how and where the federal government wants. It promises to gut the ability of suburbs to set their own zoning codes. It will press future population growth into tiny, densely-packed high-rise zones around public transportation, urbanizing suburbs and Manhattanizing cities.”

What this administration fails to understand is that one of the most unique American values is our ability to be mobile. America practically invented the modern open road. That road to the future symbolizes our freedom to choose—to choose where we live, where we work and to choose our neighbors and neighborhoods.

But instead, the president has decided to restrict that freedom. If this proposed rule is adopted, Washington bureaucrats are now going to tell Americans where they can live and who they will live next to, all in the name of social justice and ideological utopianism. Nothing could be more un-American and more fundamentally wrong. Just like Americans don't need the government choosing their doctors, they don't need the government choosing their neighbors.

The 1968 Fair Housing Act already makes discrimination illegal in the “sale, rental and financing of dwellings based on race, color, religion, sex or national origin.” The Act was amended in 1988 to add disability and familial status as covered conditions. Apparently, it’s not enough to provide everyone with *equal opportunity* in housing matters. What the Obama Administration wants is *equal outcomes*, and the only possible way to produce this is for the federal leviathan to force itself upon local jurisdictions.

While no one should ever be targeted for exclusion from a neighborhood because of their ethnicity or any other protected category, neither should there be quotas for neighborhoods to achieve some sort of racial balance that would not happen naturally. A level playing field that allows all Americans to choose where they live, and that gives zoning authority to local governments, is the wisest policy.

To curb this federal overreach, I sponsored an amendment in the Transportation, housing and Urban Development, and Related Agencies Appropriations Act that would block funding for the president's rule on AFFH. Some of my colleagues and I are issuing a call to action and are asking House appropriators to include the same defunding language that passed the House of Representatives in any appropriations package we vote on and send to the president. If the rule is implemented and municipalities do not comply with AFFH, federal community development grant money will be withheld.

The sad truth about this Obama social engineering proposal is that HUD conducted its own study in 2011 which concluded that moving those currently living in poor neighborhoods into suburban neighborhoods neither helps children do better in school nor decreases their family's dependence upon welfare, as is the goal of the proposed AFFH rule. Therefore, one of the most compelling reasons to defund this regulation is that it will have the opposite impact on the people it is intended to assist, increasing their likelihood of government dependency.

In essence, this is an encroachment into the domain of local governments—even bypassing the state government level—and is a violation of the basic intent of our Founders. So if you hear reports of a minor earthquake near Henry's resting place at Red Hill in Charlotte County, Virginia, it should be easy to locate its epicenter.